

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 5, 2006

DIVISION TWO

B183167 Staff Pro, Inc. et al. (Not for Publication)
 v.
 National Union Fire Insurance Co.

The judgment is affirmed. Respondent(s) to recover costs.

Doi Todd, J.

We concur: Boren, P.J.
 Chavez, J.

B186049 People (Not for Publication)
 v.
 Herrera

The order appealed from is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Chavez, J.

B187923 People (Not for Publication)
 v.
 Douglas

The judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Chavez, J.

DIVISION TWO (Continued)

B185176 Fonseca (Not for Publication)
v.
California Insurance Guarantee Association

The order of the trial court is reversed. The matter is remanded for a determination of the extent of Fonseca's employer's negligence and the total damages to which Fonseca is entitled. The matter is also remanded for a hearing to determine whether Solov acted alone in creating the settlement fund or whether Toppi also actively participated in its creation. Fonseca is entitled to costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
Doi Todd, J.

B181807 Boyd (Not for Publication)
v.
SBC Advanced Solutions, Inc.

The punitive damages are reversed. In all other respects, the judgment is affirmed. ASI shall recover its costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

DIVISION THREE

B176883 Matusek (Not for Publication)

v.

Murad, et al.

Rodney Benn Productions, Inc., et al.

The judgment is reversed. The trial court is instructed to enter a new and different judgment as follows. As to the Matusek's third amended complaint, the trial court is instructed to enter judgment in favor of Matusek and against Murad, Inc. in conformity with the jury verdict as to the ward of \$43,864.07 compensatory damages, and as to the award of \$250,000 in punitive damages. The trial court is also instructed to enter judgment in favor of Matusek and against Rodney Benn Productions as follows: awarding Matusek \$296 in compensatory damages and \$1,200 in punitive damages. The trial court is also instructed to enter judgment in favor of the individual defendants Richard Murad and Rodney Benn on Matusek's third amended complaint.

In addition, the trial court is instructed to enter judgment in favor of all Marx cross-defendants on the Murad defendants' cross-complaint. The Murad defendants shall take nothing by way of the cross-complaint. Plaintiff Matusek is awarded costs on appeal.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FIVE

B181231 People (Not for Publication)

v.

Pete Daley

The judgment is affirmed.

Mosk, J.

We concur: Armstrong, Acting P.J.
Kriegler, J.

DIVISION FIVE (Continued)

B179350 Unity Pictures Corporation, (Not for Publication)
 v.
 Universal City Studios, Inc., et al.

The dismissal request is granted. Defendants, Universal City Studios, Inc., and Mark Wooster, are to recover their costs from plaintiff, Unity Pictures Corporation, plus \$74,000.00 in monetary sanctions payable upon the finality of this opinion.

Turner, P.J.

We concur: Mosk, J.
 Kriegler, J.

DIVISION SIX

B185335 Safeco Insurance Co. of America (Not for Publication)
 v.
 Parks & Miller

The order vacating the judgment is reversed and the trial court is directed to reinstate the declaratory judgment entered June 15, 2005. The orders striking Safeco's memorandum of costs and denying its motion for attorney fees pursuant to section 2033.420, subdivision (a) are reversed. Safeco shall recover its costs on appeal.

Yegan, J.

We concur: Gilbert P.J.
 Perren, J.

July 5, 2006 (Continued)

DIVISION SEVEN

B185402 Cavalier (Not for Publication)
v.
Lira

The order dismissing the action is reversed. On remand the trial court is directed to vacate its order sustaining the demurrer without leave to amend and to enter a new order permitting the Cavaliers to amend their second amended complaint in accordance with the views in this opinion. The parties are to bear their own costs on appeal.

Perluss, P.J.

We concur: Johnson, J.
 Woods, J.

Each of the following:

B180232	Wilhemi v. Health Net Life Insurance Co.
B183559	California Bowman Hunters State Archery Assn. v. The City of Burbank

Filed order denying petition for rehearing.

DIVISION EIGHT

B182001 People v. Garcia (Not for Publication)

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

DIVISION EIGHT (Continued)

B179671 Soura et al., (Not for Publication)
v.
Buchalter, Nemar, Fields & Younger et al.,

The appeal by MIA against Seigel from the judgment entered November 5, 2004, is dismissed for lack of jurisdiction. The remainder of the judgments appealed from (i.e., MIA and Soura v. the Buchalter firm, and Soura v. Seigel) are affirmed. Respondents are awarded their costs of appeal.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

B186483 People (Not for Publication)
v.
Leo W.,

The juvenile court is directed to modify the probation condition communicated orally during the disposition hearing to read as follows: Appellant is ordered not to associate with anyone who is 1) illegally using alcohol or 2) engaged in an activity involving an illegal use of alcohol. In all other respects, the judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Flier, J.